

HOUSE COMMITTEE ON HUMAN SERVICES

Hearing Date: May 11, 2021 8:00 AM

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COMMENTS FOR: SB 1896

Claire Weber
self, Consultant
Austin, TX

I speak in favor of this bill as a licensed foster care parent.

Marcie Trevino Ripper
Bexar County Child Welfare Board
San Antonio, TX

Criminalizing foster youth is not the answer. Perhaps creation of emancipation programs or courts coupled with transitional housing, workforce development in trades or as community health workers and a small living stipend would be a better solution to traumatized teens who do not want to be controlled. It's not ideal for a 15, 16, or 17 year old to be on their own, but it's better than criminalizing them and further adding costs taxpayers payers long term. Let's be smarter, not harder on this one.

Christina Falkiewicz
self, attorney
San Antonio, TX

I have concerns about SB 1896, Section 4. Residential treatment centers and psychiatric hospitals should not be used as temporary placements for children in foster care to meet capacity shortages. Doing so would cause children further harm and trauma. The children who end up without placement are typically the children who are the most traumatized and are having the most difficulty with their situation, and they should have the benefit of the laws our government has already seen fit to pass to protect them and place them in the most family-like setting possible. Appropriate options should focus on securing more nonrestrictive foster homes with caregivers who are trauma-informed. History has shown that DFPS, given the option of leaving a child in a RTC or psychiatric hospital, is slower to find appropriate and family-like placement for these children. Funds are better spent increasing nonrestrictive foster homes and trauma training for caregivers and parents.

Virginia Simpson
self - assistant district attorney
Lubbock, TX

I have concerns about SB 1896 - specifically the requirement that a child be adjudicated for a CINS offense. There aren't enough prosecutors, juvenile defense attorneys, time, resources for this -

John Cope
Self / Foster Parent and Child Welfare Attorney
N. Richland Hills, TX

I have concerns about SB 1896. Section 4 would permit residential treatment centers and psychiatric hospitals to be used as temporary placements for children in foster care to meet capacity shortages. This is a terrible and consequential mistake. Placement in a residential treatment center or a psychiatric hospital would take a child at a time of extreme distress and impose harm, not safety and security. Placement for even the shortest period of time would exponentially increase the trauma of removal. We must create safe options for the children. Emergency placement in RTCs and psychiatric hospitals would have long term and dramatically harmful unintended consequences. Incentivize foster homes to fill the gap.

Lori Bringas

Self

Dallas, TX

I have concerns regarding SB 1896, Section 4. Residential treatment centers and psychiatric hospitals should not be used as temporary placements for children in foster care to meet capacity shortages. Use of such facilities in this way would cause children further harm. Appropriate options should focus on securing more nonrestrictive foster homes with caregivers who are trauma-informed. Thank you for your consideration.

Rachael Aminu

SELF

Houston, TX

I have concerns about SB 1896, section 4 - the expansion of this bill to house foster children in psychiatric hospitals and residential treatment centers in responses to shortage violates federal and state law, including Health and Safety Code, and the Texas Family Code. I believe doing so would cause additional harm to these precious children. Residential treatment centers and psychiatric hospitals should not be used as temporary placements for children in foster care to meet capacity shortages. Let's focus on securing more nonrestrictive foster homes with caregivers who are trauma-informed. Thank you.

Rita Anderson

self - attorney representing children in foster care

Austin, TX

I have concerns about SB 1896. I am a Texas attorney and I represent many children in the Texas foster care system. I can not stress enough that residential treatment centers and psychiatric hospitals should NOT be used as temporary placements for children in foster care to meet capacity shortages. Children are almost always traumatized by being removed from their parents. Using residential treatment centers and psychiatric hospitals as temporary placements would cause children further harm. Appropriate options should focus on securing more nonrestrictive foster homes with caregivers who are trauma-informed.

Lee Spiller, Executive Director

Citizens Commission on Human Rights-Texas

Austin, TX

We wanted to express our deep concerns about Section 4 of SB1896.

Two years ago, the Austin American Statesman reported on foster children languishing in psychiatric hospitals.

This spring, the Houston Chronicle reported on hospitals from whom our Local MH Authorities contract to provide publicly

funded beds. The Chronicle stated:

“Between 2014 and 2019, those hospitals racked up nearly 1,100 state and federal violations — including 47 at the 80-bed hospital where Alex’s son [the patient who was the focus of this story] was committed. Those 54 hospitals also were fined \$1.4 million by the state, a Houston Chronicle investigation found.

“Police officers were called to those hospitals’ locations more than 31,200 times during that same time period, about 1,900 times for assault, about 380 times for sex offenses and about 280 times for possible suicides. There also were 15 deaths. Of the 54 hospitals, 14 are large facilities that are not singularly focused on mental health care and were not included in this count.”

Psychiatric hospitals are not meant or designed to be a foster care placement. They are not meant for custodial care. They are about the most restrictive setting available.

Rather than exploring psychiatric hospitals as a temporary foster care placement, our state should be making sure that they are properly regulated, that all patients are receiving humane care, and that those foster children placed in these facilities are able safe and that they have access to the courts so that they do not languish in these restrictive settings.

Tanya Ochoa

Self

Austin, TX

I have concerns about this Bill. It would be a gross violation of what the Texas children in care need. While it is true that we do have a shortage of foster homes and appropriate placements, the answer isn't to hospitalize children or provide them with greater restrictive placements than their level of care warrants. The policy for children in care is to place them in the least restrictive placement possible. This would violate that policy as many children would end up in facilities that are offering too much restriction and with children that are not their same level of care. That is only going to cause more long term and possibly irreparable damage to an already traumatized youth. The answer is to allocate more resources to trying to build up the foster care system-providing greater incentives and more knowledge to the public so that more homes can be available for these children. The bottom line is that the long term damage we would do to these kids by passing this bill would result in traumatizing our youth even more than they already are.
